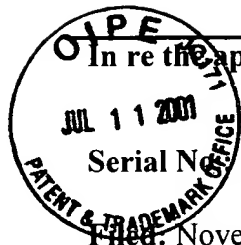


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4



In re the application of: Carl H. June and  
Craig B. Thompson

Serial No. 09/707,087

Filed: November 6, 2000

*For: Methods for Modulating T Cell Survival by  
Modulating BCL-X<sub>L</sub> Protein Level*

Attorney Docket No.: RPI-034CPCN

Group Art Unit:

**Box Missing Parts**

Commissioner for Patents  
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

July 9, 2001  
Date of Signature and of Mail Deposit

By:

DeAnn F. Smith  
DeAnn F. Smith  
Reg. No. 36,683

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated January 8, 2001, Applicants' attorney submits herewith a copy of two executed Declaration, Petition and Power of Attorney forms for the above-identified patent application. Applicants' attorney brings to the Commissioner's attention that copies of these two Declarations were submitted with the original transmittal of the present application, and hereby request a refund of the \$130.00 submitted herewith after the Commissioner has examined the documents as filed with this case, and has determined the same.

A check in the amount of **\$840.00** is enclosed to cover the total amount owed by Applicants including \$130.00 surcharge, and \$710.00 basic filing fee based on large entity status. A copy of Form PTO-1533 is also enclosed. A separate request for an extension of time in which to respond is being filed concurrently herewith.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

A duplicate of this letter is enclosed.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

A handwritten signature in dark ink, appearing to read "DeAnn F. Smith", is written over a horizontal line.

DeAnn F. Smith

Reg. No. 36,683

Agent for Applicant

Dated: July 9, 2001



LAHIVE  
&  
COCKFIELD  
LLP

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DeCONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DeANN FORAN SMITH  
PETER C. LAURO  
JEANNE M. DiGIORGIO  
DEBRA J. MILASINCIC, Ph.D.  
NICHOLAS P. TRIANO, III  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN

SEAN D. DETWEILER  
CYNTHIA L. KANIK, Ph.D.  
MEGAN E. WILLIAMS, Ph.D.  
RICHANAND  
MICHAEL PHILLIPPS \*  
LISA M. DIROCCO

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.

PATENT AGENTS  
PETER S. STECHER  
THEODORE R. WEST

TECHNICAL SPECIALISTS

MARIA LACCOTRIPE ZACHARAKIS, Ph.D. \*\*

CYNTHIA M. SOROOS  
PETER W. DINI, Ph.D.  
EUIHOON LEE  
JENNIFER K. ROSENFELD  
JUDITH STONE-HULSLANDER, Ph.D.  
ALLAN TAMESHTIT, Ph.D.  
CATHERINE E. McPHERSON  
ERIC F. WAGNER, Ph.D.  
SHAHID HASAN, Ph.D.  
ASHITA DOSHI, Ph.D.  
JACOB G. WEINTRAUB

\* Admitted in NY only  
\*\* Passed the Patent Bar Examination

July 9, 2001

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Continuation Application Serial No. 09/707,087  
Title: *Methods for Modulating T Cell Survival by  
Modulating BCL-X<sub>L</sub> Protein Level*  
Filed: November 6, 2000  
Applicants: Carl H. June and Craig B. Thompson  
Our Ref.: RPI-034CPCN

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts of Nonprovisional Application;
2. Copy of Two Declaration, Petition and Power of Attorneys for Continuation-in-Part Patent Application;
3. Request for Four Month Extension of Time;
4. Check for \$840.00 (710.00 basic filing fee and \$130.00 surcharge fee);
6. Check for \$1,390.00 (extension of time fee); and
7. acknowledgement postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on:

July 9, 2001  
Date

DeAnn F. Smith

DeAnn F. Smith, Registration No. 36,683

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

DeAnn F. Smith

No. 36,683

Agent for Applicant



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/707,087         | 11/06/2000          | Carl H. June          | RPI-034CPCN            |

CONFIRMATION NO. 8859

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

## FORMALITIES LETTER



\*OC000000005662259\*

Date Mailed: 01/08/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/13/2001 KZE/DIE 00000016 09707087  
01 FC:101 710.00 OP  
02 FC:105 130.00 OP